

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Timothy S. Buckley, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

**F028370 Allstate Insurance Company v. Gailey, et al.**

Cause called and argued by Patricia A. Teunisse, Esq., counsel for appellant and by Murray M. Aron, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

**F029029 In re the Marriage of Martin**

Cause called and argued by James F. Tritt, Esq., counsel for appellant and by Gregory P. Falk, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, January 13, 1999 at 10:00 A.M.

**F030907 In re Ezekiel L., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029757 People v. Blanton**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F029177      People v. Osborne**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029199      People v. Oliver**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031500      In re Dakota B., a Minor; Tulare County Department of Social Services v. Mandy T.**

No brief or request for extension of time having been filed within the time provided, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F026409      People v. Perez**

The trial court is directed to correct the abstract of judgment to reflect and additional 68 days of presentence custody credit, for a total of 289 days. The trial court is further directed to correct the abstract of judgment to reflect that the sentence on count 6 is stayed pursuant to section 654. The trial court is ordered to forward the amended abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. Levy, J.

We concur: Stone (W.A.), Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029169      People v. Bradbury**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F028849      People v. Pumphery**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029785      People v. Tovar**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F027179      Holt v. Besone, et al.**

Appellant's petition for rehearing filed herein is denied.

**F029761      People v. Bettincourt**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029800      In re Travis P., a Minor**

The case is remanded to the juvenile court for a determination of whether counts 1, 2, and 4 should be treated as felonies or misdemeanors pursuant to section 702. Should the juvenile court treat the offenses as felonies, the court is directed to recompute the maximum period of confinement in accordance with this opinion. In all other respects, the judgment is affirmed. The judgment is affirmed. Buckley, Acting P.J.

We concur: Wiseman, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F030136      People v. Robles**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F026231      People v. Pinon**

The judgment is affirmed. Thaxter, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032090      David H. v. The Superior Court of Fresno County; Fresno County  
Department of Children and Family Services**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.